

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 313 – HB 387

March 29, 2017

**SUMMARY OF ORIGINAL BILL:** Revises definitions related to the practice of chiropractic and chiropractic physicians. Changes requirements related to the composition, powers, and duties of the Board of Chiropractic Examiners (Board). Increases, from \$50 to \$100, the per diem each member of the Board receives when engaged in the official duties of the Board.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$1,200/Board of Chiropractic Examiners

Other Fiscal Impact - Pursuant to Tenn. Code Ann. § 4-29-121, the Board of Chiropractic Examiners is required to be self-supporting over any two-year period. As of June 30, 2016, the Board had a cumulative reserve balance of \$500,907. Any increase in Board expenditures incurred as a result of this bill can be handled within the Board's existing resources without an increase to fee revenue.

**SUMMARY OF AMENDMENTS (004995, 006368):** Amendment 004995 deletes and replaces language of the bill without making any substantive changes to the legislation.

Amendment 006368 amends the bill as amended by amendment 004995 to delete the language "physical therapeutics" from the definition of "treatment", thereby establishing that this Act is not authorizing chiropractic physicians to treat neuromuscular, musculoskeletal, and related conditions through the use of physical therapeutics.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The Board consists of seven members - five certified chiropractors and two members of the public; one of the Board seats is currently vacant and is assumed to remain vacant into perpetuity. The Board meets four times per year and board members currently

receive, in addition to travel reimbursement, \$50 per day when engaged in the official duties of the board.

- Based on information provided by the Board, the average annual board expenditures incurred from per diem payments is \$1,200 (6 members x 4 meetings x \$50).
- Increasing the per diem from \$50 to \$100 will double the total per diem payments currently received by members, from \$1,200 to \$2,400, for a total increase in board expenditures of \$1,200 (\$2,400 - \$1,200).
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Chiropractic Examiners had an annual deficit of \$8,569 in FY14-15, an annual surplus of \$468,182 in FY15-16, and a cumulative reserve balance of \$500,907 on June 30, 2016.
- The Board has current revenue sufficient to cover the increase in expenditures that is assumed to be incurred as a result of this legislation.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/jem